

ObamaCare's effects on the economy and on the middle class. A lot of the President's allies are worried too. Democrats who are running in red States are running scared and are starting to talk about the need to amend the law.

And then there are the unions. Unions are, of course, historically Democratic supporters and they were instrumental in getting ObamaCare passed in the first place and helping to get the President reelected. Now unions are rethinking their support. At the end of last week UNITE HERE, which is a huge union with over one-quarter of a million members from all over the hospitality industry, published a white paper on ObamaCare which they called "The Irony of ObamaCare: Making Inequality Worse."

What does the document say? Well, it says what Republicans have been saying all along, that ObamaCare is going to make things much worse for the middle class. I want to quote from the first page:

Ironically, the administration's own signature healthcare victory poses one of the most immediate challenges to redressing inequality. . . . without smart fixes, the Affordable Care Act threatens the middle class with higher premiums, loss of hours, and a shift to part-time work and less comprehensive coverage.

That is from a white paper put out by one of the Nation's major unions. In 12 pages that document demolishes the administration's claim that the bill will help the middle class. It takes aim at the administration's ridiculous assertion that the law will not discourage business expansion or result in employers cutting hours. Worker hours, the union points out, have already been cut at nearly a third of U.S. franchise businesses.

Other businesses have chosen to replace full-time workers with part time workers, and still others have announced their intention of staying below 50 employees to avoid being hit by the worst of the law's mandates. The union also points out the likelihood of employers dumping employee health plans thanks to the law's requirements, leaving employees to obtain health care in the exchanges.

Here is what the union has to say about dropped employees, and again I quote:

For dropped employees, being pushed onto the exchanges will mean a major loss of income for health benefits. Families moving to the exchanges may lose between 4 percent and 25 percent of income to maintain equivalent benefits.

Again, that is from the union white paper on ObamaCare. Major loss of income or health benefits, families within the exchanges may lose between 4 and 25 percent of income—between 4 percent and 25 percent of income.

We are not talking about rich families here. We are talking about families who are making \$40,000 or \$50,000 or \$60,000 a year. Even a 4-percent income loss would make a huge dent in these

families' budgets. A 25-percent income loss for a family making that amount of money would be devastating.

Finally, the union concludes by pointing out a study in the Brookings Institution—again, not exactly a bastion of conservatism—that shows that those making below \$25,000 will get some benefit of the Affordable Care Act. But those right above them, families with incomes of \$20,000 to \$38,000, will lose income. "Only in Washington," the report concludes, "could asking the bottom of the middle class to finance health care for the poorest families be seen as reducing inequality."

Again, that is a quote from that report by UNITE HERE labor union.

I want to remind everyone this is not a Republican document. It is a document produced by some of President Obama's biggest supporters. In fact, UNITE HERE was actually the first union to endorse then-Senator Obama in 2008. So this isn't an organization seeking to damage the President politically or to provide Republicans with talking points. But like so many Americans around the country, UNITE HERE has been forced to an inescapable conclusion, and that conclusion is that ObamaCare just isn't working. It is doing the opposite of what it was intended to do. It is making health care more expensive for families. It is discouraging employees from hiring. It is reducing Americans' health care choices.

Madam President, I ask unanimous consent for an additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. It is reducing Americans' health care choices, and it is encouraging employers to cut hours and benefits. Our health care system may have needed reform, but this was not the way to do it. Even the President's strongest supporters are having buyers' remorse, and a lot of Americans are hurting right now thanks to the President's health care law.

As we hear from more Americans, South Dakotans, people all across this country, who are struggling under the law, I hope the Democrats here who I believe privately are rethinking their vote for this law will have the courage to publicly join us in calling for its repeal.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

#### ENERGY

Mr. HOEVEN. Thank you, Madam President.

Last night the majority party had an all-night session talking about energy, but there is no specific proposal coming forward. We are here ready to vote to do our job representing the American people and actually craft a plan, a comprehensive energy plan for this country that works.

Since we didn't hear one last night, I thought I would come today and pro-

pose one. I would like to propose a States-first all-of-the-above energy plan. This isn't new. This is a plan I proposed along with others, my good colleague from South Dakota, my good colleague from Wyoming who was just here, and others. This is a comprehensive approach, a bipartisan approach, and actually specific legislation, a number of bills that will create a comprehensive plan to not only produce more energy for our country but to create more jobs, to grow our economy, to help expand our tax base, so we can reduce the deficit and the debt without raising taxes and, maybe most importantly of all, actually providing national security so we do not have to import oil from the Middle East—a specific action plan with legislation drafted and introduced that, instead of talking about it here on the Senate floor, let's do it. Let's start voting. Let's pass it. Let's put solutions in place for the American people.

Now this is not one big monolithic one-size-fits-all Federal plan, Federal approach. Instead, it is a series of bills sponsored, as I say, by Members on both sides of the aisle that would truly create a States-first, all-of-the-above energy approach. It includes measures such as my good colleague from South Dakota just said. Let's approve the Keystone Pipeline. The administration has been working on it for 5 years. Maybe they are going to work on it for another 5 years. I don't know. Well, let's approve it here in Congress. Let's act.

Another bill, the Dominion Energy and Jobs Act, is a bill I introduced that has already been passed by the House. It is a series of 13 different pieces of legislation that would help us produce more energy in this country both onshore and off.

The Empower States Act is another piece of legislation I put forward that would address hydraulic fracturing which is unleashing new areas of energy production in our country, or the coal ash recycling bill, that not only would help us recycle coal ash, but provide better standards to make sure that we are storing ash that is recycled in environmentally sound ways, addressing a problem that EPA is working on, and has to come up with a solution by the end of the year. We work with the EPA to come up with a commonsense solution that also encourages recycling coal ash to use on highways and buildings and other construction, and for other construction purposes. There is the Domestic Fuels Act, which is another piece of legislation that not only helps us market traditional fuels at the pump, such as traditional oil and gas products, but also renewable fuels, such as biofuels, biodiesel, ethanol, hydrogen, other types of energy that we are working to develop—renewable fuels. Let's make it easier to give consumers choice at the pump and more competition that will help reduce their costs.

This is the same kind of comprehensive plan that we developed in North

Dakota when I was Governor. I was a Governor there for 10 years. We developed a plan that we called EmPower North Dakota, and of course the whole idea was to unleash the energy resources of our State—all of our resources. I am not just talking about oil and gas—traditional sources of energy—but all traditional and renewable energy that have truly made our State an energy powerhouse for the country. We did it at the State level, and we can do it at the national level.

So how does it work? Quite simply, it empowers States to build on their relative strengths. It does so by giving them the primary role, or the primary responsibility, in terms of regulating energy development and growth in their State. That may be oil, gas, nuclear, biofuels, hydro, wind, solar, biomass or whatever else may be an area of strength or expertise for their respective State.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HOEVEN. I ask the Chair for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. I thank the Presiding Officer.

If you think about it, it builds on the very foundation and very concept of how our country works. The United States is the laboratory of democracy. The States are the laboratories of democracy. Let's make them the laboratories of energy development in this country. Why not? Let's make them the laboratories of energy development in this country, whether it is Wisconsin, Michigan, North Dakota, South Dakota or Wyoming. You name it. Different places have different strengths.

When it comes to producing energy, let's empower them to produce the type of energy that works best in their respective State. It is bipartisan, it is inclusive, and it includes not only the Federal Government, but it includes the Federal Government in a way where they are working with the States and building on the very strength of our country.

I know my time is limited. I will be back later today to talk about it some more.

I want to leave with this point: It is not just about energy. It is about better environmental stewardship because we unleash the very investment that drives and deploys the new technology that produces more energy and does so with a better environmental stewardship.

It is about a growing economy that creates revenues without raising taxes to help address the deficit and debt. It creates good-paying jobs that we need in this country.

It is also about national security. Think about what is going on in Europe right now. Is the European Union going to join with us and impose sanctions on Russia? Are they? Do they have the will or are they concerned that 30 percent of all of the natural gas

that goes to Europe comes from Russia and half of it goes through the Ukraine?

Are they so concerned about their energy future that they are not willing to stand with us to do the things we need to do to make sure that an aggressor like Russia doesn't invade another sovereign country?

So energy is very much about national security, and we can be energy secure in this country in very short order with the right approach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### EXECUTIVE CALENDAR

Ms. STABENOW. There are currently 89 judicial vacancies in Federal courts across the country, including four on the eastern court for the Eastern District of Michigan. Two of these are considered emergency vacancies because they have been vacant for over 19 months. With so many vacancies the case backlog isn't getting any smaller. It is a real problem.

The good news is that today we have the opportunity to vote to move forward on four excellent nominees to fill vacancies in the courts.

Our Michigan nominees are highly qualified and represent some of the best legal minds we have. Two of the nominees are sitting judges, one nominee is a U.S. Attorney in the Eastern District of Michigan, and the other nominee is currently in private practice at one of Michigan's top law firms.

Throughout the confirmation process, they have all proven to be thoughtful and prudent stewards of the law. So not only are they excellent nominees, but they are ready to go to work.

The first nominee is Judith Levy. She has served as an assistant U.S. attorney in the Eastern District of Michigan since 2000. She was a cum laude graduate at the University of Michigan Law School. She has received numerous awards for her legal work.

Ms. Levy clerked for the Honorable Bernard Friedman, the former chief judge on the United States District Court for the Eastern District of Michigan. He was, in fact, a Reagan appointee.

She is nominated to fill a judicial emergency vacancy created more than 18 months ago.

Ms. Levy is an excellent nominee. The people of Michigan deserve to have her on the bench, and she will serve with great distinction for all of us.

Second, we have Judge Laurie Michelson. Judge Michelson has served as a U.S. magistrate judge in the Eastern District of Michigan since 2011.

Prior to her appointment to the bench, she spent nearly 18 years in private practice where she specialized in media law, intellectual property, and white collar criminal defense.

She earned her law degree from Northwestern University in 1992. She served as a law clerk for Judge Cor-

nelia Kennedy on the U.S. court of appeals. Judge Kennedy, as you may recall, was selected by President Reagan for his short list of Supreme Court candidates to replace Justice Potter Stewart.

Judge Michelson is an excellent nominee, and again the people of Michigan deserve to have her on the bench, and she will serve with distinction.

Next we have Judge Linda Parker. Judge Linda Parker has served as a judge on the Third Judicial Circuit Court of Michigan since 2009. Judge Parker has served in State and for the Federal Government for over a decade. Before that, she worked in private practice as well.

She earned her law degree from George Washington University and began her career as a law clerk in the District of Columbia Superior Court.

She has been recognized for her commitment to the community through pro bono legal work and as a board member of an organization that provides assistance to underserved academically gifted children.

Judge Parker is also an excellent nominee, and the people of Michigan look forward to her service.

Next is Matthew Leitman. Mr. Leitman is a principal at the Law Firm of Miller Canfield in Troy, MI, where he handles complex commercial litigation, criminal defense, and appellate matters before both State and Federal courts.

Prior to joining Miller Canfield in 2004, he spent 10 years in private practice.

He earned his law degree magna cum laude in 1993 from Harvard Law School and began his career as a clerk to Justice Charles Levin on the Michigan Supreme Court.

Mr. Leitman's nomination will also fill a judicial emergency vacancy which has been open for nearly 2 years.

Mr. Leitman is also an excellent nominee, and the people of Michigan, again, deserve his service on the bench. We look forward to his service and to the service of all four of those nominees that we will be voting on today.

We have four excellent nominees for the U.S. District Court for the Eastern District of Michigan. They are thoughtful, they are prudent, and they are ready to get to work.

I encourage and ask that all of my colleagues join together today in a strong bipartisan vote to be able to move these nominations forward and bring them to the floor tomorrow morning for the final vote.

We are very pleased with the President's nominees and with their qualifications. We are very confident of their service to the courts and to the people of Michigan.

I thank the Presiding Officer.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.